

06/22/01  
J1003 U.S. PTO

PATENT

Customer Number 22,852  
Attorney Docket No. 02481.1744-01

11017 U.S. PTO  
06/22/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Prior Application Art Unit: unassigned      Prior Application Examiner: unassigned

SIR: This is a request for filing a

Continuation  Continuation-in-Part  Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/847,277 filed May 3, 2001, of Laszlo VERTESY et al. for CYCLIPOSTINS, PROCESS FOR THEIR PREPARATION AND USE THEREOF.

1.  Enclosed is a specification (46 pages including Title Page and Abstract).
2.  Enclosed is a Declaration of Deposit of Microorganisms.
3.  Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4.  The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

| Basic Application Filing Fee   |                  |       |              | \$710  | \$     | \$710.00 |
|--|------------------|-------|--------------|--------|--------|----------|
|  | Number of Claims | Basic | Extra Claims |        |        |          |
| Total Claims   | 46               | -     | 20           | 26     | x \$18 | 468      |
| Independent Claims   | 2                | -     | 3            | 0      | x \$80 | 0        |
| <input checked="" type="checkbox"/> Presentation of Multiple Dep. Claim(s) |                  |       |              | +\$270 |        | 270      |
| Subtotal   |                  |       |              |        | \$     | 1448     |
| Reduction by 1/2 if small entity   |                  |       |              |        |        | -        |
| TOTAL APPLICATION FILING FEE   |                  |       |              |        | \$     | 1448     |

5.  A check in the amount of \$1448 to cover the filing fee is enclosed.

LAW OFFICES  
FINNIGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, DC 20005  
202 408 4000

6.  The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

7.  Amend the specification by inserting before the first line, the sentence:  
--This is a  continuation  division of application Serial No.[Text], filed [Date] incorporated herein by reference.--

8.  New formal drawings are enclosed.

9.  The prior application is assigned of record to:

10.  Priority of application Serial No. 10021731.1-43, filed on May 4, 2000, in Germany is claimed under 35 U.S.C. § 119. A certified copy  
 is enclosed or  is on file in the prior application.

11.  A verified statement claiming small entity status  
 is enclosed or  is on file in the prior application.

12.  The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heftner, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413;

David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; and David A. Manspeizer, Reg. No. 37,540.

13.  The power appears in the original declaration of the prior application.
14.  Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
15.  Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
16.  Recognize as associate attorney Anthony C. Tridico, Reg. No. 45,958.
17.  Also enclosed is \_\_\_\_\_

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/847,277, filed June 18, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 22, 2001

By: Anthony C. Tridico  
Anthony C. Tridico  
Reg. No. 45,958

*by*  
*Ant C. Tridico*  
*Reg. No. 32,220*

LAW OFFICES

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